

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW HAMPSHIRE**

Daniel Casanova

v.

Civil No. 10-cv-485-JD

Hillsborough County Department  
of Corrections, James O'Mara,  
Superintendent, et al.

**O R D E R**

Before the court is Daniel Casanova's complaint, construed to include the original complaint, certain addenda, and an amendment to the complaint, along with the attached exhibits (doc. nos. 1, 6, 8, 11, 13-16, 20, 22-24, and 26-28). The defendants are the Hillsborough County Department of Corrections ("HCDOC"), Hillsborough County House of Corrections ("HCHC") Superintendent James O'Mara, HCHC Nurse Bill Foley, HCHC Health Services Administrator Denise Ryan, as well as HCHC Corrections Officers ("CO") Weatherbee and Boyle. The matter is before the court for preliminary review to determine whether or not Casanova has stated any claim upon which relief might be granted. See 28 U.S.C. § 1915A; United States District Court, District of New Hampshire, Local Rule ("LR") 4.3(d)(2).

A. Identification of Viable Claims

In accordance with the Report and Recommendation issued this date, following the completion of the preliminary review required by 28 U.S.C. § 1915A, the claims numbered 1, 2, and 4-6 in the Report and Recommendation may proceed at this time. Claims 1 and 2 asserted against CO Boyle and CO Weatherbee, and Claims 5 and 6 asserted against them and their employer, HCDOC, as well as Claim 4, asserted against Health Services Administrator Denise Ryan and Superintendent James O'Mara, shall be served as specified below. The court has recommended that the remaining claims asserted in the complaint be dismissed for reasons stated in the Report and Recommendation.

B. Service

Plaintiff has submitted summons forms, but they are insufficient to allow the court to issue them at this time. Accordingly, the court directs that the Clerk's Office properly complete summonses for each of the following parties: the HCDOC, HCHC Superintendent James O'Mara, HCDOC Health Services Administrator Denise Ryan, HCHC CO FNU Weatherbee, and HCHC CO FNU Boyle.<sup>1</sup> The address listed for each defendant shall be the place of business or employment, namely, the Hillsborough County Department of Corrections, 445 Willow St., Manchester, NH 03103.

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<sup>1</sup> "FNU" stands for "first name unknown."

Upon completing and issuing the summonses against these defendants, the Clerk's Office shall forward to the United States Marshal for the District of New Hampshire (the "U.S. Marshal's office") the summonses and copies of the complaint (doc. nos. 1, 6, 8, 11, 13-16, 20, 22-24, and 26-28), the Report and Recommendation issued this date, and this Order. Upon receipt of the necessary documentation, the U.S. Marshal's office shall effect service upon defendants. See Fed. R. Civ. P. 4(c)(3).

Defendants are instructed to answer or otherwise plead within twenty-one days of service. See Fed. R. Civ. P. 12(a)(1)(A).

Casanova is instructed that all future pleadings, written motions, notices, or similar papers shall be served directly on defendants by delivering or mailing the materials to them or their attorney(s), pursuant to Fed. R. Civ. P. 5(b).

SO ORDERED.

  
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Landya McCafferty  
United States Magistrate Judge

July 25, 2011

cc: Daniel Casanova, pro se

LBM:nmd